

CITY OF CODY  
PLANNING, ZONING AND ADJUSTMENT BOARD  
JANUARY 23, 2007  
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

- ❑ Call to Order by Chairperson Steve Miller
  - ❑ Approval of Minutes
- January 9, 2007 -Regular Meeting

**PRESENTATION OF COMMUNICATIONS:**

1. An application has been submitted by Ed & Carol Higbie for the review of the Conceptual Plat for the High Plains Subdivision. The property is within the 1 mile boundary of city limits at the end of County Road 2AC on the North side (Tract #74-C, Resurvey T.53n,R.101w.,6<sup>th</sup> p.m (see attached maps). The conceptual plan outlines subdividing 33.05 acres into six residential lots ranging in size from 5.04 to 6.37 acres.

Action: *Review and comment on the Conceptual Plat.*

Staff Comments: This subdivision is located at the furthest extension of the ½ mile boundary of the City Limits. In past proposals the City has requested that the applicants within ½ mile of the City pave their proposed streets. Staff does not believe that paved streets are necessary for this application due to the location. The County allows for dead-end cul-de-sacs of up to 1000' in length, but requires a secondary access for emergency vehicles. No secondary access is shown for this proposal.

Spokesperson: Ed Higbie & Jeremy Easum  
Staff Reference: Steve Payne

**Tabled Item:** *Action: Motion to consider taking Cody Enterprise item off the table.*

2. An application has been submitted by the Cody Enterprise outlining a revised landscape plan for their newly renovated building located at 3101 Big Horn Ave. The applicant would like to revise the plan to incorporate decorative red rock, specimen boulders, and shrubs similar to what was originally submitted. The applicant is asking the board to except the change to the landscape plan and consider the project completed. They do propose in their letter that they will be doing more landscape in the spring and fall of 2007 Highway project is completed. The applicant has stated that after the plan is reviewed by P&Z they will resubmit a quote for the work along with a renewed landscape bond.

Action: *Approval/Approval with conditions/Denial, the revised landscape plan for the Cody Enterprise located at 3101 Big Horn Ave.*

Staff Comments: The New Cody Enterprise building has substantially improved the aesthetic appeal of the area. It was the staff's understanding that grass was originally proposed for the frontage along Big Horn Ave. and this would be consistent with what has been proposed along the Fremont Motors Property, the Crum Electric Site and the Sletten Construction Site. While staff believes the revised plan will also be appealing, the applicants will have to make sure the shrubs/trees do not exceed 30" in height. This will assure that site distance at the intersection is maintained and be consistent with the Tree Boards requirements for shrubs within the right-of-way. The applicant should also

understand that the maintenance of the shrubs will be the responsibility of the applicant and that if utility companies have to work in the area to service the utilities and disturb the shrubs, the applicant will have to restore the shrubs and not the utility company. Grass is typically cheaper to restore.

Spokesperson: Dan Odasz, Bruce McCormack  
Staff Reference: Steve Payne

3. An application has been re-submitted by Curtis Ryan dba Greenwing Properties L.L.C. for the review of the Preliminary Plat of the Greenwing Addition. In conjunction with this application, a zone change request for a portion of the Bakken Subdivision #3 from "B" Residential to "D3" Open Business/Light Industrial has been scheduled for Public Hearing on February 6, 2007. The location of the area for review is off Robert Street and is described as Tract A, Section 28, Original Survey now part of Tract 40 Resurvey, T.53N, R101W, 6<sup>th</sup> P.M. The owner requests subdividing Tract A into two Lots (A-1 and A-2) and would like to re-zone Tract A-2 from "B" to "D3".

Action: *Recommend to Council Approval/Approval with conditions/Denial of the Preliminary Plat for the Greenwing Addition Subdivision.*

Staff Comments: The public hearing on the Zone Change will go before the Council on February 6, 2007. The Staff does not see any concerns with the subdivision as proposed.

Spokesperson: Curtis Ryan, James Evans  
Staff Reference: Steve Payne

**Discussion Item:**

- At the last P&Z meeting, members requested review of the Ordinance which defined and eliminated usage of "flag lots" in the development of Subdivisions and Minor Subdivisions in the City of Cody Code. Ordinance 2004-06 has been included in your packets along with it's reference page, (#213, Subdivision of Land Chapter 30) for review, comments and possible suggestions in the design of a possible 2007 Ordinance revision to this section of City Code.

Action: *Advise staff on suggestions and actions board would like to take on this topic.*

Staff Comments: As Board Members can see, the Ordinance eliminating "flag" lots was approved in July, 2004. The Ordinance was changed at that time due to a recommendation from the P&Z Board. At the time, there was concern that there were many flag lots being developed and that access issues and easement issues were not being well defined and this would lead to problems in the future. Also, there was some concern that emergency access was not being adequately addressed in the development of flag lots. Staff would suggest that there are two areas of the Subdivision Regulations that could be amended – consider whether or not the flag lot definition should be eliminated and/or consider if frontage on a public street could be defined as the frontage at the setback line for the zone in which the subdivision has been proposed.

Staff Reference: Steve Payne

**Tabled Items:**

Zone Change request submitted by Iron Creek Energy Group, LLC requesting a zone change from "D-1" limited business to "D-2" General Business on Lot 9 of the Adix Addition. Applicant will be re-submitting request for a future P&Z meeting.